

REMARKS / ARGUMENTS

A. General

The application still contains 68 claims, notably claims 48 and 50-116.

No amendments have been made to the application by the present communication.

B. Summary of Rejection and Reply

35 U.S.C. §102

In the Office Action, the Examiner has rejected claims 48 and 50-116 under 35 USC 102(e) as being anticipated by U.S. Patent Application Publication No. US 2003/0167229 to Ludwig et al.

In response to this rejection, the Applicant has prepared and encloses herewith:

- a 37 CFR 1.131 Affidavit executed by inventors Wayne L. Randell, Leonard A. Podgurny and Edward A. Widlake;
- a 37 CFR 1.131 Affidavit executed by Brigide Mattar, a patent agent with the law firm of Smart & Biggar/Fetherstonhaugh.

These Affidavits establish that conception of the subject matter in independent claims 48, 72, 97, 113 and 116 took place prior to April 3, 2001 and that this conception was followed by due diligence until the filing of the application on April 30, 2001. As the effective date of the document US 2003/0167229 cited under 35 USC 102(e) is April 3, 2001, the Applicant respectfully submits that this document is not citable against the

claims of the present application and that the 37 CFR 1.131 Affidavit overcomes the Examiner's rejection.

In light of the foregoing, and since no other prior art references have been cited by the Examiner in the latest Office Action, the Applicant respectfully submits that the subject matter of independent claims 48, 72, 97, 113 and 116 is novel and non-obvious and, as such, that these claims are in full condition for allowance.

Claims 50-71, 73-96, 98-112 and 114-115 depend either directly or indirectly from one of claims 48, 72, 97, 113 and 116, which have already been shown to be in condition for allowance. As such, the Applicant respectfully submits that claims 50-71, 73-96, 98-112 and 114-115 are also novel, non-obvious and in condition for allowance.

CONCLUSION

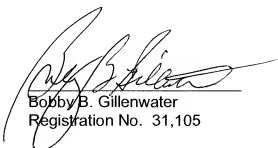
In view of the above, it is submitted that claims 48 and 50-116 are in condition for allowance. Reconsideration of the rejections is requested. Allowance of claims 48 and 50-116 at an early date is solicited.

If the application is not considered to be in full condition for allowance, for any reason, the Applicant respectfully requests the constructive assistance and suggestions of the Examiner in drafting one or more acceptable claims pursuant to MPEP 707.07(j) or in making constructive suggestions pursuant to MPEP 706.03 so that the application can be placed in allowable condition as soon as possible and without the need for further proceedings.

Respectfully submitted,

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BARNES & THORNBURG
600 One Summit Square
Fort Wayne, Indiana 46802
U.S.A.
(260) 423-9440


Bobby B. Gillenwater
Registration No. 31,105